

## **IC 33-39-9**

### **Chapter 9. Defense and Indemnification of Prosecuting Attorneys**

## **IC 33-39-9-1**

### **Application of chapter**

Sec. 1. This chapter does not apply to a threatened, pending, or completed action or a proceeding that:

- (1) results in the criminal conviction of; or
- (2) is a disciplinary action or proceeding against;

a prosecuting attorney.

*As added by P.L.98-2004, SEC.18.*

## **IC 33-39-9-2**

### **Expenses defined**

Sec. 2. As used in this chapter, "expenses" includes the following:

- (1) Reasonable attorney's fees, if the attorney general has authorized the prosecuting attorney to hire private counsel to provide the defense.
- (2) A judgment.
- (3) A settlement.
- (4) Court costs.
- (5) Discovery costs.
- (6) Expert witness fees.
- (7) Any other expense incurred as a result of an action or a proceeding.

*As added by P.L.98-2004, SEC.18.*

## **IC 33-39-9-3**

### **Prosecuting attorney defined**

Sec. 3. As used in the chapter, "prosecuting attorney" means a prosecuting attorney, a deputy prosecuting attorney, or a senior prosecuting attorney appointed under IC 33-39-1.

*As added by P.L.98-2004, SEC.18.*

## **IC 33-39-9-4**

### **Payment of expenses**

Sec. 4. The state shall pay the expenses incurred by a prosecuting attorney from a threatened, pending, or completed action or proceeding that arises from:

- (1) making;
- (2) performing; or
- (3) failing to make or perform;

a decision, a duty, an obligation, a privilege, or a responsibility of the prosecuting attorney's office.

*As added by P.L.98-2004, SEC.18.*